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2875

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Paul David Sherring  
FOR : **HELMET MOUNTED  
ELECTROLUMINESCENT POSITION  
INDICATOR**  
SERIAL NO. : 10/542,460  
FILED : July 14, 2005  
EXAMINER : BENNETT, ZAHRA  
ART UNIT : 2875  
CONFIRMATION NO. : 1462  
ATTORNEY DOCKET NO. : **PABE 2 00001**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO/SB/08 Form (renumbered from 1449) is enclosed.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed,

other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicant(s) has (have) not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

☐ Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

☐ All of the cited and/or included documents were cited by the European Patent Office in a related application(s). A copy of the European Search Report is enclosed.

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☐ WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application (or date of entry of the national stage). Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☐ BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☒ BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH STATEMENT: Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☒ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; and

2. ☐ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **PRIORITY CLAIM:** The enclosed PTO/SB/08 includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or

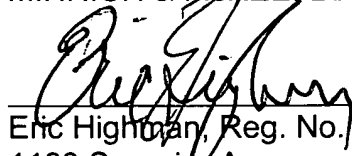
more prior applications are identified in the papers accompanying the filing of this application.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

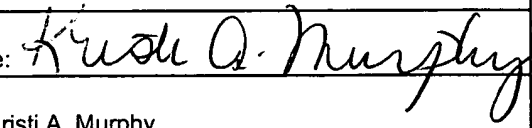
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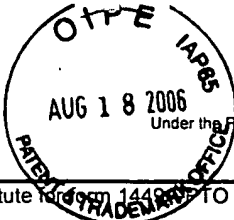
FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



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1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

August 14, 2006  
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CERTIFICATE OF MAILING OR TRANSMISSION	
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Date: August 14, 2006	Name: Kristi A. Murphy



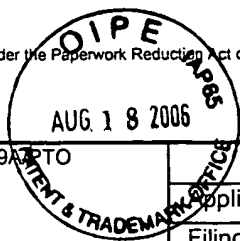
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)</b>	<b>Complete if Known</b>	
	Application Number	10/542,460
	Filing Date	July 14, 2005
	First Named Inventor	Paul David Sherring
	Art Unit	3765
Examiner Name	BENNETT, ZAHRA	
Sheet 1 of 3	Attorney Docket No.	PABE 2 00001

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-4,195,328	03-25-1980	Harris, Jr.
	AB	US-4,891,736	01-02-1990	Gouda
	AC	US-5,465,421	11-07-1995	McCormick, et al.
	AD	US-5,469,342	11-21-1995	Chien
	AE	US-5,810,467 A	09-22-1998	Hurwitz
	AF	US-D376,469	12-17-1996	Harkness
	AG	US-D448,100	09-18-2001	Husband
	AH	US-D487,997	09-18-2001	Natuzzi
	AI	US-D509,612	08-13-2005	Amorin
	AJ	US-		
	AK	US-		
	AL	US-		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
		Country Code-Number Kind Code (if known)			
	AM	GB 2316293	02-25-1998	Eric Cadenhead	<input checked="" type="checkbox"/>
	AN	GB 1 468 323	03-23-1977	Edward Harold Ziner	<input checked="" type="checkbox"/>
	AO	GB 2 341 227 A	03-08-2000	John Edward Rodbourne	<input checked="" type="checkbox"/>
	AP	GB 2 374 401 A	10-16-2002	Michael Newton	<input checked="" type="checkbox"/>

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T	
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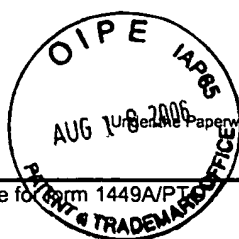
Substitute for form 1449A-PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)</b>	<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/542,460</td> </tr> <tr> <td>Filing Date</td> <td>July 14, 2005</td> </tr> <tr> <td>First Named Inventor</td> <td>Paul David Sherring</td> </tr> <tr> <td>Art Unit</td> <td>3765</td> </tr> <tr> <td>Examiner Name</td> <td>BENNETT, ZAHRA</td> </tr> <tr> <td>Attorney Docket No.</td> <td>PABE 2 00001</td> </tr> </table>	Application Number	10/542,460	Filing Date	July 14, 2005	First Named Inventor	Paul David Sherring	Art Unit	3765	Examiner Name	BENNETT, ZAHRA	Attorney Docket No.	PABE 2 00001
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Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
	BM	CA 2 290 115 A1	05-15-2001	Gina May Gallant	<input checked="" type="checkbox"/>
	BN	DE 198 55 788 A1	06-15-2000	Proch Klaus-Dieter et al.	<input checked="" type="checkbox"/>
	BO	EP 1 020 325 A2	07-19-2000	Michael Bousahba	<input checked="" type="checkbox"/>
	BP	EP 1 084 635 A1	03-21-2001	Luca Polvara	<input checked="" type="checkbox"/>

OTHER - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
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	BL	US-		

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	BM	JP 11-329003	11-30-1999	Ikeno Tsuken KK	<input checked="" type="checkbox"/>
	BN	WO 98/36213	08-20-1998	Yoav Bleicher et al.	<input checked="" type="checkbox"/>
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	BP				<input type="checkbox"/>

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